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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

I, Charles Sullivan, a Special Agent (S.A.) of the Federal Bureau of Investigation (F.B.I.), United States Department of Justice (D.O.J.), hereinafter referred to as Affiant, being duly sworn under oath, hereby deposes and states as follows:

INTRODUCTION

1. Affiant is an investigative or law enforcement officer of the United States of America within the meaning of Title 18, U.S.C. § 2510(7) and the Federal Rules of Criminal Procedure, Rule 41(a)(2)(C). Affiant is empowered to conduct investigations of and to make arrests for offenses enumerated in Title 18, U.S.C. §§ 3052 and 3107; and D.O.J. regulations set forth at Title 28, C.F.R., Sections 0.85 and 60.2(a).

2. Affiant has been employed as a Special Agent of the F.B.I. since February of 1998. While employed by the F.B.I., Affiant has investigated federal criminal violations related to bank robberies, drugs, weapons violations, interstate transportation of stolen property, cyber-crime, child exploitation, child pornography and other general criminal offenses in the Northern District of Ohio.

3. Affiant has gained experience through training, seminars, classes, and everyday work related to conducting these types of investigations. Affiant has received training in the area of child pornography and child exploitation and has had the opportunity to

observe and review numerous examples of child pornography (as defined in Title 18, U.S.C. § 2256) in all forms of media, including computer media. Moreover, Affiant is a federal law enforcement officer who is engaged in enforcing criminal laws, including Title 18, U.S.C., § 2252(a)(2).

4. Affiant submits this application and affidavit in support of a Complaint authorizing the arrest of Robert A. Luzar Jr. for violating Title 18, U.S.C., § 2252(a)(2).

5. The statements contained in this Affidavit are based in part on: information provided to me by other F.B.I. Special Agent(s), Investigator(s) at the Geauga County Prosecutor's office, and Detective(s) at the Geauga County Sheriff's Office; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement officers; information gathered from the service of subpoenas; the results of physical and electronic surveillance conducted by law enforcement officers; independent investigation and analysis by F.B.I. Agents/Analysts and computer forensic professionals; and my experience, training and background as a Special Agent of the F.B.I. Since this affidavit is being submitted for the limited purpose of securing authorization for the requested Complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish probable cause for the Complaint.

STATUTORY AUTHORITY

6. This Complaint concerns violations of Title 18, U.S.C, § 2252A (a) (5) (B) that prohibits a person from knowingly receiving, or distributing, any visual depiction using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer, or knowingly reproduces any visual depiction for distribution using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or through the mails, if—

(A) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and

(B) such visual depiction is of such conduct.

BACKGROUND OF THE INVESTIGATION

7. 03/03/2021 the Geauga County Prosecutor's Office received two CyberTips (CT), 85102267, 85110727, from the National Center for Missing and Exploited Children (NCMEC) through the Ohio Internet Crimes Against Children (ICAC) Task Force (TF). These CyberTips revealed that on 01/27/2021 Google, Inc. reported to NCMEC information related to electronic files which depicted suspected child sexual abuse in an account on its network. The electronic files were discovered in the verified Google, Inc. user account of pc69us@gmail.com. This account listed the user's date of birth of

"XX/XX/1970" (Luzar Jr.'s date of birth), a verified mobile telephone number of "440-XXX-4906" and a secondary electronic mail address of Luzar25@yahoo.com.

8. An Investigator with the Geauga County Prosecutor's Office reviewed the two CyberTips and discovered the following:

a. Cybertip 85102267 contained one video file that was discovered within the user's Google Drive server storage. The video file was originally titled "8399_507980245.mp4" and was 17 seconds in length. This video file depicted a prepubescent female child, who was seminude, wearing a string bra and thong underwear. The child is visible dancing, with focus being on the semi-exposed genitals of the child. The video has an MD5 hash value of 885864e1792c67ea8250d2708fcfbd38.

b. Cybertip 85110727 contained one video file that was discovered with the user's Google Drive server storage. The video file was originally titled "LINE_V20191025_083606581.mp4" and was 20 seconds in length. This video file depicted a nude, prepubescent female child on her elbows and knees with buttocks elevated in the air. A nude adult male is behind the child engaged in oral sex with the child. The video has an MD5 hash value of 2d2d25e6882ed74184663a7aa0b3aa38.

9. The information Google, Inc. provided to NCMEC also included login history for the user of pc69us@gmail.com. The login history covered the time period from 04/26/2020 - 01/04/2021, with the most recent Internet Protocol (IP) address being

2607:fcc8:9043:1600:8c5:f206:d9fd:164e. A search of publically sourced information revealed this IP address was registered to Charter/Spectrum Communications and had a geolocation of US, OH, Chardon.

10. During this investigation a subpoena was issued to Charter Communications which requested information regarding two IP addresses which were assigned to the above described user account on 01/04/2021. The response to this subpoena revealed the IP addresses had been assigned to Tonya Luzar on Wilson Mills Road in Chardon, Ohio 44024.

11. A Search Warrant was subsequently executed on the "pc69us@gmail.com" user account. The results of the Search Warrant were consistent with an open source look up conducted by the Ohio ICAC TF when providing the likely user of Robert A. Luzar Jr. A review of the material provided by Google, Inc. from the Search Warrant revealed several images stored by the user including images consistent with the user taking a "selfie". These images were also consistent with Luzar Jr.'s Ohio BMV photograph. Also located were approximately 13 images and 36 videos of suspected child pornography, including two videos which depicted a dog licking the genitals of a minor female child.

12. On 04/28/2021 a Search Warrant was executed at Luzar Jr.'s residence in Chardon, Ohio. During the Search 14 items of digital media were seized. Subsequently, these digital items were forensically examined by the FBI. Affiant reviewed this examination and discovered 90 images and 84 videos of suspected child pornography,

Charles Sullivan

including two videos which depicted a dog licking the genitals of a minor female child.

13. Also during the above described Search Luzar Jr. agreed to be interviewed. During this interview Luzar Jr. stated he utilized the Google, Inc. user account of pc69us@gmail.com and had downloaded, via the Internet, numerous images and videos of child pornography. Luzar Jr. also stated he had sexually molested 5 juvenile females approximately 15 - 20 years ago.

14. Based on the aforementioned factual information your Affiant respectfully submits that there is probable cause to believe that Robert A. Luzar Jr. knowingly possessed, with intent to view, child pornography in violation of Title 18, U.S.C., § 2252(a)(2).

Charles Sullivan

Charles Sullivan
Special Agent
Federal Bureau of Investigation

Sworn to this 1st day of June, 2021 via telephone after submission by reliable electronic means. [Fed. R. Crim. P. 4.1].



J. D. Greenberg
Jonathan D. Greenberg
United States Magistrate Judge